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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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UNITED STATES OF AMERICA, :  
v. : No. 19-cr-780 (WJM)  
: **Return Date:** To Be Scheduled  
: **Document Electronically Filed**  
: **Oral Argument Requested**  
: ----- X  
GENE LEVOFF, :  
Defendant. :  
----- X

TO: Courtney A. Howard, A.U.S.A.  
Daniel V. Shapiro, A.U.S.A.  
OFFICE OF THE U.S. ATTORNEY  
970 Broad Street  
Suite 700  
Newark, New Jersey 07102

PLEASE TAKE NOTICE that on a date determined by the Court, Defendant Gene Levoff (“Defendant”), through his attorneys, Marino, Tortorella & Boyle, P.C. (Kevin H. Marino, Esq., appearing), will move before the Honorable William J. Martini, U.S.D.J., United States District Court for the District of New Jersey, Martin Luthor King, Jr., Federal Building & Courthouse, Courtroom 4B, 50 Walnut Street, Newark, New Jersey 07102, for entry of an Order dismissing the Indictment with prejudice for failure to state a crime.

PLEASE TAKE FURTHER NOTICE that in support of this motion, Defendant will rely

on the Memorandum of Law submitted herewith. A proposed form of Order is also submitted herewith.

PLEASE TAKE FURTHER NOTICE that Defendants respectfully request oral argument on this motion.

Dated: April 27, 2020

Respectfully submitted,

MARINO, TORTORELLA & BOYLE, P.C.  
Attorneys for Defendant Gene Levoff

By:

  
KEVIN H. MARINO